



DOCKET NO. 1399.1001

DECLARATION UNDER 37 C.F.R. §1.131(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Gyu-Yeong SON et al.

Group Art Unit: 2615

Serial No.: 09/210,472

Examiner: THAI Q. TRAN

Confirmation No. 5435

Filed: December 14, 1998

For: **RESERVED PROGRAM RECORD SETTING METHOD AND APPARATUS FOR
A PROGRAM PREVIEW**

Declaration Under Rule 131(a)

RECEIVED

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AUG 12 2004

Technology Center 2600

Dear Sir:

We, Gyu-Yeong SON and Jin-Hwi KIM, the Applicants in the above-identified patent application declare as follows:

1. On September 26, 1997, we signed an invention disclosure form disclosing the invention recited in the above-identified patent application. A copy of the invention disclosure form, along with a statement that the translation of the invention disclosure form is accurate, were attached to the Declaration under Rule 131(a) filed with the Amendment of September 30, 2003.
2. On October 2, 1997, this invention disclosure form was forwarded to the Korean Patent firm of YOONES & CO., to be prepared and filed as a Korean Patent Application. A date stamp of receipt is shown on the invention disclosure form attached hereto.
3. From October 2, 1997, we interacted with the Korean Patent firm of YOONES & CO. as set forth in the attached Declaration under Rule 132 in order to have the application filed in the Korean Industrial Property Office. Specifically, we interacted as follows:
 - a. on October 22, 1997, the Korean Patent firm of YOONES & CO. contacted us to set up a meeting to discuss the invention;
 - b. on October 25, 1997, a meeting was set up in order to discuss the invention. The date and time of the meeting was as soon as practicable given the availability of the attorneys at the Korean Patent firm of YOONES & CO. and ourselves due to normal work responsibilities during working hours;

- c. on November 3, 1997, the Korean Patent firm of YOONES & CO. provided us with a draft of the application for our review;
 - d. on November 25, 1997, after reviewing the application and as soon as practicable in view of our other work responsibilities during working hours, we provided our comments to the Korean Patent firm of YOONES & CO.;
 - e. on November 28, 1997, we received a completed application for execution from the Korean Patent firm of YOONES & CO.; and
 - f. on December 10, 1997, as soon as was practicable in view of our other work responsibilities during normal working hours, we provided an executed version of the application to the Korean Patent firm of YOONES & CO. for use in filing in the Korean Industrial Property Office.
- 4 On December 13, 1997, we filed Korean Patent Application No. 1997-68542 in the Korean Industrial Property Office. A certified copy of the Korean Patent Application No. 1997-68542 was filed in the United States Patent Office, and was acknowledged in the Office Action mailed July 10, 2003. An English translated copy of the certified priority document is attached hereto, along with a statement that the translation of the certified copy is accurate were attached to the Declaration under Rule 131(a) filed with the Amendment of September 30, 2003.
5. Between the period of October 2, 1997 and December 13, 1997, and at least between the period of October 8, 1997 and December 13, 1997, we worked on completing the application in cooperation with the Korean Patent firm of YOONES & CO. during our regular working hours without interruption except to the extent that our remaining work responsibilities could not be otherwise delayed.

The Declarants further state that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

By: Gyu-Yeong Son

Gyu-Yeong SON

Date: August 2, 2004

By: Jin-Hwi Kim

Jin-Hwi KIM

Date: Aug. 2, 2004



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Report of the Economic Survey 2003

**PREPARED UNDER DIRECTION OF
AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION
LAW PRACTICE MANAGEMENT COMMITTEE**

WAYNE P. SOBON, CHAIR

By
Fetzer-Kraus, Inc.
Washington, DC 20008

The definition of each service in the 2003 survey is identical to the definition used in the 1999 and 2001 surveys. The median charge for each service in 1998, 2000, and 2002 was:

	<u>1998</u>	<u>2000</u>	<u>2002</u>
TRADEMARKS			
Clearance search	\$501	\$700	\$799
Registration application	500	550	600
Prosecution	600	938	997
Statement of use	202	250	299
Appeal to the Board	2,009	2,511	3,002
Section 8 and 15 declaration	252	300	348
Renewal application	302	360	402
Filing foreign origin registration application received ready for filing	375	400	498
U.S. UTILITY PATENTS			
Novelty search	\$999	\$1,250	\$1,500
Original non-provisional application on invention of minimal complexity	4,008	5,002	5,504
Provisional application	2,000	2,501	2,993
Original application, relatively complex biotech/chemical	8,000	9,967	10,001
Original application, relatively complex electrical/computer	7,993	9,970	9,995
Original application, relatively complex mechanical	6,007	7,996	8,001
Application amendment/ argument of minimal complexity	1,000	1,200	1,499
Application amendment/ argument, relatively complex biotech/chemical	1,999	2,499	2,806
Application amendment/ argument, relatively complex electrical/computer	1,995	2,497	2,501
Application amendment/ argument, relatively complex mechanical	1,503	1,999	2,199
Appeal to Board without oral argument	2,986	3,004	3,497
Appeal to Board with oral argument	4,008	5,003	5,963
Issuing an allowed application	302	400	499
Paying a maintenance fee	150	176	200
FOREIGN ORIGIN AND FOREIGN PATENTS			
Filing in U.S. PTO, received ready for filing	502	650	752
Filing non-PCT application abroad, per country	550	700	750
Filing previously prepared U.S. application as PCT application in U.S.	601	800	800

Table 17d. Hourly Billing Rate by Type of Practice, Gender, and Years of Experience

RESPONDENT'S YEARS OF INTELLECTUAL PROPERTY LAW EXPERIENCE											
		Less than 5	5-6	7-9	10-14	15-19	20-24	25-29	30-34	35-39	40 or More
MALES											
ALL FULLTIME IN PRIVATE PRACTICE											
Number Reporting % of total	877	87 10%	82 9%	116 13%	185 21%	90 10%	89 10%	61 7%	56 6%	46 5%	63 7%
75th percentile	\$350	\$230	\$275	\$318	\$335	\$370	\$390	\$390	\$410	\$400	\$375
Median	\$275	\$195	\$233	\$250	\$280	\$310	\$325	\$330	\$343	\$310	\$300
25th percentile	\$220	\$165	\$200	\$210	\$225	\$250	\$250	\$275	\$290	\$250	\$235
Average	\$290	\$200	\$238	\$265	\$289	\$313	\$328	\$342	\$353	\$322	\$318
PARTNERS											
Number Reporting % of total	451	2 0%	8 2%	45 10%	113 25%	67 15%	70 16%	43 10%	40 9%	28 6%	35 8%
75th percentile	\$385		\$268	\$325	\$350	\$400	\$400	\$420	\$455	\$400	\$420
Median	\$320		\$240	\$270	\$300	\$325	\$348	\$340	\$370	\$345	\$350
25th percentile	\$260		\$205	\$220	\$260	\$260	\$270	\$275	\$323	\$292	\$295
Average	\$329	\$175	\$233	\$274	\$305	\$328	\$346	\$359	\$383	\$347	\$360
ASSOCIATES											
Number Reporting % of total	257	80 31%	71 28%	55 21%	35 14%	10 4%	3 1%	0 -	2 1%	1 0%	0 -
75th percentile	\$276	\$230	\$275	\$320	\$329	\$310		-			-
Median	\$230	\$196	\$226	\$250	\$266	\$260	\$240	-			-
25th percentile	\$194	\$165	\$199	\$211	\$235	\$245		-			-
Average	\$239	\$201	\$238	\$262	\$279	\$270	\$247	-	\$280	\$300	-

Table 17d. Hourly Billing Rate by Type of Practice, Gender, and Years of Experience (continued)